

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE: Bair Hugger Forced Air Warming
Products Liability Litigation

MDL No. 15-2666 (JNE/FLN)

This Document Relates to:

*Loretta Hylander and Royce Hylander v.
3M Company, et al*; Case No. 16-cv-02518

**DECLARATION OF ALFRED A OLINDE, JR IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANT'S MOTION TO DISMISS
FOR LACK OF SUBJECT MATTER JURISDICTION**

1. I am an attorney at the Olinde Firm, LLC and counsel for Plaintiff in the above-captioned cause.
2. I submit this Affidavit in opposition to Defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction [Dkt. 1283].
3. Exhibit one attached to Plaintiff's Memorandum in Support of Opposition to Defendants Motion to Dismiss for Lack of Subject Matter Jurisdiction is an image of an authentic copy of Loretta Hylander's Death Certificate.
4. Exhibit two attached to Plaintiff's Memorandum in Support of Opposition to Defendants Motion to Dismiss for Lack of Subject Matter Jurisdiction is an image of an authentic copy of a Fiduciary Bond appointing Royce Hylander as executor of Loretta Hylander's estate on June 28, 2016.
5. Plaintiff's counsel at the time of the filing of suit was unaware that Ms. Hylander had passed away.
6. On March 14, 2018 defense counsel emailed Plaintiff's counsel and raised the issue of Ms. Hylander's death and that the short form complaint had Ms. Hylander suing in her own

Respectfully submitted,

Dated: June 26, 2018

By: /s/ Alfred A Olinde, Jr.
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CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2018 a copy of the above and foregoing *Plaintiff's Opposition to Defendants' Motion to Dismiss* has been served on all parties or their attorneys via Minnesota ECF filing system, which will send notice of electronic filing in accordance with the procedures established in MDL 15-2666.

/s/ Alfred A Olinde, Jr.